

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. CR07-167-RSM
)	
Plaintiff,)	
)	
v.)	
)	DETENTION ORDER
JAY STEWARD,)	
)	
Defendant.)	
_____)	

Offense charged: Conspiracy to Distribute Cocaine Base

Date of Detention Hearing: May 17, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant appears before this Court on a Writ of Habeas Corpus Ad Prosequendum. He was previously held in the custody of the King County Jail. Defendant has

01 been charged with the offense of conspiracy to distribute 50 grams or more of cocaine base, a
02 Schedule II controlled substance. The maximum penalty of this offense is in excess of ten years.
03 There is therefore a rebuttable presumption against defendant as to both dangerousness and flight
04 risk, under 18 U.S.C. §3142(e).

05 2. Defendant was not interviewed by Pretrial Service. Age 22, his past criminal history
06 includes a lengthy juvenile record, multiple adult felonies, and failures to appear. He is pending
07 sentencing in two state court felony cases. Defendant does not contest detention.

08 3. Taken as a whole, the record does not effectively rebut the presumption that no
09 condition or combination of conditions will reasonably assure the appearance of the defendant as
10 required and the safety of the community.

11 It is therefore ORDERED:

12 (1) Defendant shall be detained pending trial and committed to the custody of the
13 Attorney General for confinement in a correction facility separate, to the extent
14 practicable, from persons awaiting or serving sentences or being held in custody
15 pending appeal;

16 (2) Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;

18 (3) On order of a court of the United States or on request of an attorney for the
19 Government, the person in charge of the corrections facility in which defendant is
20 confined shall deliver the defendant to a United States Marshal for the purpose of
21 an appearance in connection with a court proceeding; and

22 (4) The clerk shall direct copies of this Order to counsel for the United States, to

01 counsel for the defendant, to the United States Marshal, and to the United States
02 Pretrial Services Officer.

03 DATED this 17th day of May, 2007.

04 

05 Mary Alice Theiler
06 United States Magistrate Judge